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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/955,690	09/19/2001	James McCambridge	2206.65752	9754

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EXAMINER

ALIE, GHASSEM

ART UNIT PAPER NUMBER

3724

DATE MAILED: 08/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/955,690

Applicant(s)

MCCAMBRIDGE ET AL.

Examiner

Ghassem Alie

Art Unit

3724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 7, 9-11 and 15-17 is/are rejected.
- 7) ☒ Claim(s) 4-6, 8, 12-14, and 18-20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 7, 9-11, and 15-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Tanaka et al. (4,031,617), hereinafter Tanaka. Tanaka teaches a trimmer attachment 3, 4 for a hair clipper A, which has a stationary blade 1 and a reciprocating blade 5, 7. Tanaka also teaches that the attachment includes means 32 for securing the attachment to the hair clipper A and a movable trimmer blade 4 that reciprocates in response to reciprocation of the reciprocating blade 5, 7 of the hair clipper A. The reciprocating member 7, excluding the box-shaped body 20, and the inner blade assembly 5 define the reciprocating blade of the hair clipper. The trimmer attachment 3, 4 is secured to a base plate 26 of the head B of the hair clipper A. The movable blade 4 of the trimmer attachment 3, 4 has pawls 25, 25' that engages with the box-shaped body 20 of the reciprocating member 7 of the reciprocating blade 5, 7 of the hair clipper A. The reciprocation of the reciprocating member 7, by the rotary shaft 17 of the hair clipper A, reciprocates the pawls 25, 25' of the movable blade 4 of the hair clipper attachment 3, 4. See Figs. 1-8 and col. 2, lines 1-68 and col. 3, lines 1-64 in Tanaka.

Regarding claim 2, Tanaka teaches everything noted above including a driver arm 20 which partially surrounding the reciprocating blade 5, 7 of the hair clipper A. Tanaka also teaches a blade guide 25, 25' operatively connected to the drive arm 20 and also it is secured

to the movable trimmer blade 4. The box-shaped body 20 is partially surrounding the reciprocating blade 5, 7. See Fig. 4 in Tanaka.

Regarding claim 3, Tanaka teaches everything noted above including that the trimmer attachment also has a stationary trimmer blade 3 that complements the movable trimmer blade 4 and the movable trimmer blade 4 reciprocates across the stationary trimmer blade 3 to cut hair. See Fig. 4 in Tanaka.

Regarding claim 7, Tanaka teaches everything noted above including that the hair 1, 5 of the hair clipper A have a first width and the movable trimmer blade 4 has a second width narrower than the first width. The width of the movable trimmer blade 4 is narrower than the width of the hair clipper's blades 1, 5 and this is clearly shown in Fig. 6.

Regarding claim 9, Tanaka teaches everything noted above including that means 32 for removably securing the attachment 3, 4 to the hair clipper A. The attachment 3, 4 is removed from the hair clipper A when the securing means 32 is removed. Therefore, the attachment 3, 4 is removably secured to the hair clipper by a securing means 32. See Figs. 4 and 8 in Tanaka.

Regarding claims 10 and 11, Tanaka teaches everything in claims 2 and 3.

Regarding claim 15, Tanaka teaches everything noted above including that the movable trimmer blade 4 is driven, in a reciprocating manner, by reciprocation of the reciprocating blade 5, 7 of the hair clipper. See Figs. 4 and 6 in Tanaka.

Regarding claims 16 and 17, Tanaka teaches everything in claims 2 and 3.

Allowable Subject Matter

3. Claims 4-6, 8, 12-14, and 18-20 are objected to as being dependent upon a rejected

base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The following is a statement of reasons for the indication of allowable subject matter: the prior art of record does not teach that the spring is secured to the base over the blade guide and a guide secured to the base over the drive arm to hold the drive arm in place as set forth in claims 4, 12, and 18.

Response to Arguments

4. Applicant's arguments filed on 4/29/04 have been considered but they are not persuasive. Applicant's argument that Tanaka does not teach that the movable trimmer blade 5 reciprocates in response to reciprocation of the reciprocating blade 5,7 of the hair clipper is not persuasive. As has been explained in paragraph 2 above and in the previous Office action, the reciprocating member 7 and the inner blade assembly 5 define the reciprocating blade of the hair clipper. The reciprocating blade 4 reciprocates in response to the reciprocation of the reciprocating blade 5, 7 of the hair clipper. The reciprocating blade 5, 7 of the hair clipper includes both the blade 5 and drive member 7 which is attached to the blade 5. Therefore, the reciprocation of the reciprocating blade 5, 7 is also responsible for reciprocation of the reciprocating blade 4 of the attachment, since the reciprocating blade 4 is attached to the reciprocating blade 5, 7 of the hair clipper. See Figs. 4-6 in Tanaka.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ghassem Alie whose telephone number is (703) 305-4981. The examiner can normally be reached on Mon-Fri 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan Shoap can be reached on (703) 305-1082. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9302 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

GA/ga

July 28, 2004


Allan N. Shoap
Supervisory Patent Examiner
Group 3700